

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1288 OF 2017
IN
FIRST APPEAL NO.310 OF 2015

Ashwini Jitendra Mane & anr. ... Applicants

IN THE MATTER OF:

Bajaj Allianz General Insurance Co. Ltd.

Vs.

Ashwini Jitendra mane & ors. ... Respondents

Mr.K.U. Nikam for the Applicants

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 4th OCTOBER, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This is an application for withdrawl of the amount of compensation deposited by the appellant insurance company as per the award dated 30.10.2014 passed by the learned Ad-hoc District Judge 1 / Member, Motor Accident Claims Tribunal, Sangli in MACP No.220 of 2011.
3. The learned Counsel for the applicants submits that the applicants are the widow and her minor daughter. They are residents

of Miraj, District Sangli. The learned Member, Motor Accident Claims Tribunal has awarded a compensation of Rs.46,21,570/- with interest @ 9% p.a. By the said impugned order, the learned Member, Motor Accident Claims Tribunal, granted 40% each share in the compensation to the applicant Nos.1 and 2. The balance 20% share was awarded to original respondent No.4 Satyabhama Mane.

4. Nobody appears for the respondents. The learned Counsel for the applicant shows service on Mr.Sathaye, learned Counsel for the Insurance company. The acknowledgement showing service is taken on record.

5. For the reasons stated in the Civil Application, the applicant No.1, who is a widow and was 31 years of age having a minor child of 4½ years of age at the time of filing the application, is allowed to withdraw Rs.10 lakhs (Rupees Ten lakhs only). The remaining amount, as per the shares mentioned in the judgment, shall be invested in a fixed deposit with a nationalised bank in the name of applicant Nos.1 and 2.

6. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)